

DISPOSITION OF COMPLAINT REPORT
Kansas City District, Regulatory Branch

Alleged Violator's Name: Christopher Leiker Black Tea Oil, L.L.C.	Date: March 21, 2014
Location of Alleged Violation: The sites are located in the channel and below the OHWM of the Smoky Hill River in Section 27, 28, & 29, Township 14 south, Range 32 west, in Logan County, Kansas	
Nature of Alleged Violation: The unauthorized discharge of fill material in and below the OHWM of the Smoky Hill River to facilitate oil drilling operations at three locations. Also, the unauthorized discharge of fill material associated with the installation of a buried 4" PVC pipeline to carry crude oil. This pipeline is located below the OHWM and in the channel of the Smoky Hill River and resulting in impact greater than one half acre of jurisdictional waters. As a result, this activity results in more than minimal impacts and would not meet NWP #12. (See attached Field Report)	
Authority: <input type="checkbox"/> Sec. 9 <input type="checkbox"/> Sec. 10 <input type="checkbox"/> Sec. 13 <input checked="" type="checkbox"/> Sec. 404	
<input type="checkbox"/> Other: (Specify)	
<u>RECOMMENDED ACTION:</u>	
<input type="checkbox"/> No Permit Required <input type="checkbox"/> Close Case for OD-R Purposes <input type="checkbox"/> Cease and Desist Order <input checked="" type="checkbox"/> Do No Further Work Order (NOV notification) <input type="checkbox"/> Restoration Order <input type="checkbox"/> Inform Complainant <input type="checkbox"/> Accept After-the-Fact Application	<input type="checkbox"/> Is in Compliance with Permit <input type="checkbox"/> Process Application for Permit <input type="checkbox"/> Level Survey Needed <input type="checkbox"/> Further Investigation Needed <input type="checkbox"/> Criminal/Civil Litigation <input type="checkbox"/> Other Agencies Asked to Respond/Participate
<input checked="" type="checkbox"/> Other Recommendations/Comments: It is recommended that this case be sent to EPA for enforcement action.	
Project Manager: Luke M. Cory	
Date: <u>March 21, 2014</u>	
Signature: <i>Luke M. Cory</i>	
Approved by: Tom Schumann, Kansas State Program Manager	
Date: <u>March 31, 2014</u>	
Signature: <i>Thomas L Schumann</i>	
Comments:	
Approved by: Mark Frazier, Regulatory Branch Chief	
Date: <u>5/23/14</u>	
Signature: <i>David Hibbs</i>	
Comments: <i>Concur; Modified Field report rec'd 4/21/14. Modified to included updated information, drawings and photo documentation.</i>	